

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

MICHAEL RECH,

Plaintiff

-vs-

DECISION and ORDER
23-CV-6152-CJS-MWP

UNKNOWN NAMED AND
QUANTITY OF U.S. MARSHALS, et al.,

Defendants

Siragusa, J. On May 30, 2023, this case was referred to U.S. Magistrate Judge Marian W. Payson by text order of referral, ECF No.4, pursuant to 28 U.S.C. § 636(b)(1). In that regard, Magistrate Judge Payson was designated to hear and determine/ report and recommend whether Plaintiff, Michael Rech, was entitled to *in forma pauperis* ("IFP") status. On July 7, 2023, ECF No. 5, Magistrate Judge Payson filed a Report and Recommendation ("R&R") recommending that the Court deny Plaintiff's request for IFP status. Plaintiff filed timely objections to the R & R on July 24, 2023, ECF No. 6.

Pursuant to 28 U.S.C. § 636(b)(1), this Court must make a *de novo* determination of those portions of the R&R to which objections have been made. Upon such *de novo* review of the R&R, the Court accepts the proposed findings of the R&R. Accordingly, for the reasons set forth in Magistrate Judge Payson's R&R, Plaintiff's request for IFP status is denied.

Plaintiff's Complaint shall be dismissed without further Order of this Court, unless, within thirty (30) days of the entry of this Decision and Order, Plaintiff pays the Court's filing fee (\$402.00).

IT IS SO ORDERED.

Dated: Rochester, New York
August 29, 2023

ENTER:


CHARLES J. SIRAGUSA
United States District Judge